

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-21489-CIV-UNGARO/SIMONTON

GREAT AMERICAN INSURANCE  
COMPANY,

Plaintiff,

v.

GENERAL CONTRACTORS &  
CONSTRUCTION MANAGEMENT,  
INC., et al.,

Defendants.

/

**ORDER GRANTING IN PART, BY DEFAULT, PLAINTIFF'S  
MOTION TO COMPEL AGAINST NIROOMAND-RAD**

Presently before the Court is Plaintiff Great American Insurance Company's Motion To Compel Against Akram Niroomand-Rad (hereafter Niroomand-Rad) (DE # 202). This motion is referred to the undersigned Magistrate Judge (DE # 203).

In its motion, Plaintiff states that Niroomand-Rad has failed to produce the documents responsive to Plaintiff's First Request for Production in Aid of Execution, dated July 28, 2008. Plaintiff therefore asks this Court to enter an order: 1) compelling Niroomand-Rad to provide all documents responsive to Plaintiff's request for production and 2) to award Plaintiff its reasonable attorneys' fees and costs incurred in connection with the prosecution of this motion, pursuant to Fed.R.Civ.P. 37(a)(4)(A) (DE # 202 at 4). Niroomand-Rad has not filed a response in opposition to the motion, and the last day to timely file a response to the motion was September 19, 2008.

Therefore, pursuant to Local Rule 7.1 C., it is hereby

**ORDERED AND ADJUDGED** that Plaintiff Great American Insurance

Company's Motion To Compel Against Akram Niroomand-Rad (DE # 202), is **GRANTED** by default. On or before October 6, 2008, Niroomand-Rad must provide Plaintiff with the documents responsive to Plaintiff's request for production. It is further **ORDERED AND ADJUDGED** that Plaintiff's request for sanctions, made pursuant to Fed.R.Civ.P. 37(a)(4)(A) (DE # 193), is **DENIED without prejudice to renew** if Niroomand-Rad does not comply with this Order.

**DONE AND ORDERED** in chambers in Miami, Florida on September 24, 2008.

*Andrea M. Simonton*  
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ANDREA M. SIMONTON  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
The Honorable Ursula Ungaro,  
United States District Judge  
All counsel of record